

GOVERNANCE AND CORRUPTION: WOMEN'S PERSPECTIVES

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Abstract: *The present paper aims at reviewing the various developments in Governance in India and Corruption issues from Women's Perspective. Corporate Governance has gained a lot of importance and momentum the world over. The objective of any corporate governance system is to simultaneously improve corporate performance and accountability as a means of attracting financial and human resources on the best possible terms and of preventing corporate failure. In short Corporate Governance is about promoting corporate fairness, transparency and accountability. Yet women are politically marginalized world over. Whatever may be the reasons for this, there is a need to make special provisions to include women in the democratic governance at different levels.*

Keyword: *Governance, Women Empowerment, India*

In the governance agenda, good governance provides a receptive governmental and state administrative structure, which facilitates effective governance and political development. It is perceived that a situation of good governance is characterized by transparency, accountability, rule of law and participation. In practice, good governance would refer to legitimate and representative governments who have respect for human rights, independent and impartial judiciary and the absence of arbitrariness on the part of the government. If these elements of good governance are absent in a system, there are chances of corruption in governance functioning. Therefore, poor governance would be seen as a situation which is marked by the absence of responsibility, openness, rule of law and popular participation; in other words, an environment characterized by poor governance offers greater incentives and more scope for corruption.¹ It has been argued that corruption has frequently taken place in societies where there is considerable discretion for public officials, limited accountability and less transparency in government operations. Further, absence of rule of law and lack of responsibility in governance also leads to rent seeking behaviour, and thus, corruption nurtures rent seekers. Therefore, it is argued that corruption is a case of failure of governance and poor governance often leads to corruption.² On the other hand, good governance helps in achieving a better quality of growth and development for countries around the world, which have efficient markets, strong government institutions, where the rule of law is enforced and where civil society has a voice and actively participates in sustainable

development.³ But, in many of the third world countries, where there are absences of the above elements of good governance, corruption has become an impediment to the market economy and sustainable development.

Corruption and Grassroots Women

Corruption has a negative impact on grassroots women's empowerment and participation. As primary caretakers of their households and communities, grassroots women experience corruption in enrolling their children in schools, denouncing physical abuse against family members, partaking in government subsidized programmes and participating in electoral processes. Considering this within the context of women's position in society, where they are far more likely than men to be engaged in vulnerable employment and their unpaid care work is undervalued due to social and cultural discrimination, corruption impacts them disproportionately. On the other hand, for facing corruption in their everyday lives, women from marginalized communities know best how to deal with corruption in the way that both empowers them and increases the quality of life of their families and communities. Thus, understanding corruption from the perspective of grassroots women and raising the visibility of their local strategies to address misuse of power are central to prevent and reduce corruption.⁴

Women constitute 11 per cent of India's fifteenth Lok Sabha (lower house of parliament) and 10.26 per cent of the Rajya Sabha (upper house). In comparison, only five per cent of MPs in the first Lok Sabha were women. The increase is substantial, but hardly adequate. The inadequate representation of women in parliament is more striking when juxtaposed with the fact that 33.3 per cent of seats at the local level (rural and urban) are reserved for women following the 73rd and 74th constitutional amendments. These local elected representatives are better poised than their counterparts at the state and central levels to improve the status of women in India. But the pace of grassroots governance has to be accelerated to achieve the goal of gender equity.⁵

II. THE IMPACTS OF CORRUPTION ON WOMEN

While the international community is making strides in developing gender-sensitive strategies for fighting corruption, less attention is paid to developing a deep understanding of the real impacts of corruption on poor women and the role they can and should play in fighting it in their communities. The lived impact of corruption on women, especially grassroots women, is not widely researched and is thus not well understood. Debates on the relationship between women and corruption typically centre on whether women are more or less susceptible to corruption than men. This prevailing focus has obscured the question of the gendered impacts of corruption (in addition to reinforcing gender stereotypes).⁶

Political and Bureaucratic Corruption

The politician-criminal-bureaucrat nexus has brought under its clutches the administration of India from top to bottom. However, its activities are graver and more visible at the top than the bottom. Police, revenue, excise, motor vehicle and cooperation departments, cooperative societies and all development departments are susceptible to bureaucratic and political corruption. 'Rush money' for getting quickly what is rightfully due, 'hush money' to escape from the clutches of the law, and 'slush money' for big favours and contracts are widely prevalent at the three levels mentioned above.

Politicization of Crimes and Criminalization of Politics

In several conflictual situations that arose in recent years, not only the nexus between the criminals and politicians became too apparent but often the businessmen, the smugglers of arms and narcotics, the fundamentalists, the mafia dons, the party politicians, and even the terrorists happened to be the same gang member wearing different caps to suit different roles. After the general elections to the Legislative Assembly in one of the larger states of the union, it was reported that more than 800 candidates had a criminal record and that as many as over one hundred of nearly one fourth of those actually elected as MLAs and several of those appointed Ministers had enjoyed criminal records and /or were history sheeters.⁶

Black Money— the Fuel for Corruption

People have democracy and the need of elections. But elections need a lot of money and this money has to be in cash. This money is mostly black money. Black money, by definition is generated by illegal means. Illegal means involve corruption. Thus, the citizens find that at the root of the present system of elections in India lies an important cause, i.e. corruption. Secondly, there is business which grew in the *Permit–License raj* on the basis of corruption. When there is question why businessmen are corrupt, they say that they have to feed the corrupted officials and therefore, they have to have black money. Forty percent of India's economy is black money.

INDIA'S ADMINISTRATION—PAST, PRESENT AND THE FUTURE

After independence in 1947, there have been two major landmarks in the process of our governance. One of them being constitutionalism and the other being planned economic development. The Indian Constitution is considered as the corner stone of social revolution. The founding fathers of the constitution have given us a sovereign, socialist and secular democratic republic. It has been their major endeavour to secure for the citizens of the nation- social, economic and political justice, liberty and equality; dignity of individuals and unity and integrity of the nation. To achieve these objectives, the government ushered in a planned economic development; and to open new opportunities for the people of India. Their approach

to development did not mean augmentation of resources but a process of building institutional framework, adequate to the need and aspirations of people. Stress was laid on politico-administrative set-up as a prerequisite for successful implementation of the plan document.

Reforms in Governance

The 1950 and 60s:- At the dawn of independence, India inherited an administrative system that was considered to be better than many other developing countries; and as being on par with the developing countries. However, the system was designed at the dictate of colonial regime. Consequently, there had been a significant endeavour to bring about structural changes in the administrative set-up to fulfil the aspirations of the people as enshrined in the constitution and plan documents. However, the reforms in the effort to introduce the 'new public management' during the last 62 years have been rather ad hoc and slow.

III. INVOLVEMENT OF WOMEN: NECESSITY

"Human development, if not engendered, is endangered" the nation needs engendered development with more involvement of women in governance, The number of women executives in legislatures had to be increased for a balanced governance.

In India, only 10 per cent of seats in legislatures are occupied by women whereas it is about 25 per cent in some developed nations. Only few parties in India have women leaders. Enactment of the Women's Reservation Bill has now become the need of the hour. There is a hope of getting the Bill passed by the Lok Sabha soon which will ensure 33 per cent reservation for women in legislature.

Women in Governance strives towards building a world which is free from discrimination, violence and exclusion. Engagement of women leaders and transfer of power to them is aimed at creating avenues for access to justice and meaningful participation in local governance.⁷

Women Security

It is believed that the concept of Human Security needs to be reexamined from the perspective of women. The reason for this is that women have always been kept out of the so called security domains but have remained the worst affected. It is now time that women come together, collectively engage and unravel the real meaning of personal security. This is possible only if women leaders build a critical consciousness and enter into decision-making bodies. This entails a process by which affected women and those who represent the affected have the capacity to influence policies and legislations that affect them.

WinG (Women in Governance – India (WinG-India) is a unique network of women who are striving to be agents of change in a world dominated by patriarchal

traditions) commissioned a study which analyzed the current security issues of women in India within a human rights framework. The study confirmed what WinG has always believed, that in all security related decision-making processes and institutions women remain on the margins despite the fact that they are major stakeholders in all security-related decision. Therefore, WinG has mandated itself to correct this situation by creating spaces for women in security-related institutions and decision-making processes and by bringing women to the negotiating table during peace talks.

Customary Law

Many tribal communities in the North East India continue to regulate themselves according to their customary laws (CL) which are considered to be part and parcel of their culture and tradition. Though each tribe has its own unique set of customary laws, many of them share some commonalities, the most important being their patriarchal nature denying women their rights of inheritance, child custody, decision making, etc. With the modernization of customary institutions an issue being discussed today is the codification of customary laws to suit the demand of gender equality. However, this discussion is fraught with many challenges.

For women, customary laws and institutions have advantages and disadvantages. On one hand, customary laws may be easily accessible and speedier for rural women and enjoy greater social legitimacy in local communities. On the other hand, customary institutions are often gender biased in composition, orientation and dispensation of justice. Very often, they are constituted by male elders alone and apply male-biased interpretation of laws. In India, the customary institutions have a tendency to exclude women from the decision-making processes. The Indian constitution, while guaranteeing the protection of women's rights, also recognizes customary laws. Therefore, the working group on Customary Laws has been taking on this complex issue and building its own understanding and collective understanding before engaging in advocacy and action on the codification of customary laws.

Women Leadership

The main task is to generate cultural perspectives and practices to bring an attitudinal change in the victims of socio-cultural injustice, especially Tribals and Dalits. The cultural action will help to shake off the inferiority complex and psychological trauma they have developed over centuries of suppression and subjugation.

CONCLUSION

Studies have shown that there is indeed a link between higher representation of women in public institutions and lower levels of corruption. But this correlation could stem from 'fairer systems' and democratic institutions that promote gender

equality and tender more effective systems for checks on corruption. Gender roles can also be a factor in women's lesser involvement in corruption. Women typically have greater responsibility for child care and this can make them risk-averse and thereby more reluctant to engage in corrupt activities.⁸ Women's limited participation in the public sphere also makes them more likely to be excluded from networks that propagate corrupt activities. Studies have found that corruption has a profound impact on women's access to resources, particularly public services. As primary caretakers for families, women have greater need for essential services such as health, education, water and sanitation.

As a vulnerable group globally, women are less likely to be aware of their entitlement. Generally speaking, their income level is also lower and they lack influence to seek alternatives to bribes. Often, these impediments result in women receiving poor quality services or rather simply being denied from accessing essential services. For instance, in Bangalore, India, one of every two women in maternity hospitals had to pay extra money for a physician to be present at the birth of their child. After childbirth, the research found that a staggering 70% of patients were asked to pay to see their own babies. In another case, 22 percent of female secondary school students in Bangladesh were found paying fee to register for a stipend program for which they were entitled to enroll for free.

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